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NEW YORK NY 10168**

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**DEC 09 2008**

In re Patent No. 7,384,241  
Issue Date: June 10, 2008  
Application No. 10/529,941  
Filed: April 1, 2005  
Attorney Docket No. F-8636

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**ON PETITION**

This is a decision on the petition filed August 27, 2008, which is being treated as a request under 37 CFR 3.81(b)<sup>1</sup> to correct the name of the assignee on the front page of the above-identified patent by way of a Certificate of Correction.

The request is **GRANTED**.

Applicant is encouraged to use the revised form for PTO/SB/44.

Telephone inquiries concerning this decision may be directed to the undersigned at (571) 272-3208. Inquiries regarding the issuance of a certificate of correction should be directed to the Certificate of Correction Branch at (571) 272-4200.

The Certificates of Correction Branch will be notified of this decision granting the petition under 37 CFR 3.81(b) and directing issuance of the requested Certificate of Correction.

Karen Creasy  
Petitions Examiner  
Office of Petitions

<sup>1</sup> See MPEP 1309, subsection II; and Official Gazette of June 22, 2004.

# Tech Center Routing Sheet



Application #

60/992/42

Doc Code Date

Date of Request

12-8-88

Doc Code

Pet. Dec.  
(if not listed)

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136A

Blanket Authorization to charge fee

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CRFE

CRF Entered

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NPL

Non Patent Literature

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A..

Amendment

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CTMS

Misc. Office Action

☐

NRES

Letter restarting period of response

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AMSB

Amendment Submitted with CPA/RCE

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DISQ

Terminal Disclaimer Approval Form

☐

NTC.A.NONCPL

Notice of Non-Compliant Amendment

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ANE.I

Amendment After Final, Initialed by Examiner

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EXIN

Examiner Interview

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PET.DEC.TC

Petition Decision Routed to TC

☐

APDEC

Board of Appeals Decision

☐

FOR

Foreign Reference

☐

SA

Supplemental Response or Amendment

☐

APEA

Examiner's Answer to Appeal Brief

☐

IIFW

File Wrapper Issue Information

☐

SRFW

File Wrapper Search Information

☐

BIB

Bibliographic Data Sheet

☐

N271

Response to Amendment under 312

☐

SRNT

Examiner Search Notes

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CLM

Claims

☐

N570

Accepted Change to Power of Attorney

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WCLM

Claim Worksheet

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CLMPTO

USPTO Prepared Claim Set

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NFDR

Formal Drawings Required

☐

WFEE

Fee Worksheet

☐

CRFD

CRF Defective

☐

NOA

Notice of Allowability or Allowance

☐

XRUSH

Response to a Printer Query



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
www.uspto.gov

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ONE JOHNSON & JOHNSON PLAZA  
NEW BRUNSWICK NJ 08933-7003

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DEC 09 2008

In re Application of  
Ronald Swanson et al  
Application No. 60/992,142  
Filed: December 4, 2007  
Attorney Docket No. CEN5206PSP

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ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed August 25, 2008, to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "Renewed Petition under 37 CFR 1.137(b)." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

A grantable petition under 37 CFR 1.137(b)<sup>1</sup> must be accompanied by: (1) the required reply,<sup>2</sup> unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lack(s) item(s) (1).

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<sup>1</sup> As amended effective December 1, 1997. See Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53194-95 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 119-20 (October 21, 1997).

<sup>2</sup> In a nonprovisional application abandoned for failure to prosecute, the required reply may be met by the filing of a continuing application. In an application or patent, abandoned or lapsed for failure to pay the issue fee or any portion thereof, the required reply must be the payment of the issue fee or any outstanding balance thereof.

Petitioner must provide evidentiary evidence which would clearly establish that this case was not the one that was to be abandoned. Further, petitioner must identify the other case(s) that was to be expressly abandoned and provide an explanation as to whether, in fact, the case(s) intended to be expressly abandoned has now been abandoned. If the case(s) intended to have been expressly abandoned has not been expressly abandoned, petitioner must provide an explanation as to why such action has not been taken to effect such express abandonment. Was applicant made aware of the filing of the express abandonment? If so, please explain.

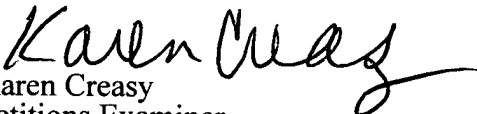
Further correspondence with respect to this matter should be addressed as follows:

By mail:                      Mail Stop PETITIONS  
                                    Commissioner for Patents  
                                    Post Office Box 1450  
                                    Alexandria, VA 22313-1450

By hand:                     Customer Window located at:  
  
                                    Randolph Building  
                                    401 Dulany Street  
                                    Alexandria, VA 22314

By fax:                        (571) 273-8300  
                                    ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at (571) 272-3208.

  
Karen Creasy  
Petitions Examiner  
Office of Petitions